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**OFFICE OF PETITIONS**

In re Application of :  
Benjamin et al. : DECISION GRANTING  
Application No. 09/866,066 : PETITION  
Filed: May 25, 2001 :  
Attorney Docket No. PHRM-0328 :

This is a decision on the petition filed August 17, 2001, requesting that the above-identified application be accorded a filing date of May 25, 2001, rather than the presently accorded filing date of May 23, 2001.

Petitioners allege that the application was deposited in Express Mail service on May 25, 2001. In support, the petition is accompanied by a copy of Express Mail receipt No. EL719247795US (the same Express Mail number found on the original application papers located in the official file) showing a "date in" of May 25, 2001.

In view of the above, the petition is granted. The Office records have been corrected to reflect a filing date of May 25, 2001 for this application. A corrected filing receipt bearing the May 25, 2001 filing date accompanies this decision on petition.

The \$130.00 petition fee is being refunded to Deposit Account No. 23-3050 as authorized.

Telephone inquiries concerning this matter may be directed to Karen Creasy at (703) 305-8859.

This application will be forwarded to Office of Initial Patent Examination for further processing.

*Brian Hearn*

Brian Hearn  
Special Projects Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt